

Message Text

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ACTION EUR-25

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FM AMEMBASSY BELGRADE

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E.O. 11652: N/A

TAGS: CPRS, YO (DOYCHIN, VLADIMIR WALLY)

SUBJ: TRIAL OF AMCIT

REF: BELGRADE 2367

SUMMARY: DOYCHIN FOUND GUILTY OF HAVING LEADERSHIP ROLE IN HOSTILE ACTIVITY IN US AGAINST SFRJ, AND SENTENCED TO 3 YEARS 4 MONTHS -- A RELATIVELY LIGHT SENTENCE GIVEN GRAVITY OF CHARGES. DEFENSE ATTORNEY PREPARING APPEAL AND PETITION FOR CLEMENCY AND HOPES EMB WILL SUPPORT LATTER AT APPROPRIATE TIME. DEPT REQUESTED TO INFORM DOYCHIN'S DAUGHTERS IN CHICAGO, AND ALSO CONTACT YUGO EMB RE DOYCHIN'S LETTER TO YUGO CONGEN IN SAN FRANCISCO. END SUMMARY.

1. AFTER EARLIER PLANS TO EXTEND TRIAL 3 MORE DAYS, JUDGE DECIDED TO WIND UP DOYCHIN AFFAIR ON JUNE 4 FOLLOWING THREE WEEK RECESS. WITH DOYCHIN'S FAMILY, FRIENDS, AND SEVERAL YUGOSLAV REPORTERS IN ATTENDANCE, DAY WAS SPENT REVIEWING PREVIOUS TESTIMONY, HEARING THREE WITNESSES FOR PROSECUTION, AND SUMMATIONS BY PROSECUTION AND DEFENSE. ATMOSPHERE OF TRIAL WAS CORDIAL, FAIR AND EFFICIENT HIGHLIGHTED BY PERRY MASONESQUE FINISH BY DOYCHIN'S LAWYER AND MOVING APPEAL BY DOYCHIN TO HIS SERBIAN BROTHERS ON THE BENCH FOR HUMANITY AND MERCY. DURING ONE BREAK,
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PRESIDING JUDGE TOOK UNUSUAL MOVE OF INVITING CONSUL INTO HIS

CHAMBERS FOR A SNORT FOLLOWED BY ALMOST APOLOGETIC EXPLANATION THAT COURTS COULD NOT CONSIDER POLITICAL IMPLICATIONS OF DOYCHIN'S PROBABLE CONVICTION. SUCH FACTORS, IF THEY WERE TO HAVE ANY BEARING AT ALL, WOULD BE CONSIDERED LATTER IN APPEALS AND PETITION FOR CLEMENCY.

2. DOYCHIN'S CASE WAS IN EFFECT INDEFENSIBLE SINCE HE ADMITTED HE WAS IN LEADERSHIP POSITION OF ORGANIZATIONS WHICH GOY CONSIDERS HOSTILE. (NOTE: SIMPLE MEMBERSHIP IN ORGANIZATIONS WOULD HAVE BEEN COVERED BY AMNESTY LAW OF 1973. SEE A693, DEC 20, 1973). DOYCHIN'S CLAIM THAT HIS ROLE WAS MORE IN ARTISTIC LINE, AND THAT HE WAS NOT POLITICALLY INCLINED WAS NOT FULLY ACCEPTED BY COURT, BUT SPLENDID DEFENSE ATTORNEY MADE MOST OF FACT THAT DOYCHIN'S STORY ABOUT HIS ROLE HAD BEEN CONSISTENT FROM THE TIME HE DECIDED TO RETURN TO YUGOSLAVIA (LATE 60'S) WITH LETTER TO YUGO CONSUL GENERAL, HIS LETTER TO AMCONSUL MILES, DURING INTERROGATIONS BY YUGO SECURITY POLICE, AND THROUGHOUT TRIAL.

3. DEFENSE CLAIM THAT DOYCHIN WAS NOT YUGO CITIZEN AT TIME OF ACTIVITIES (1956-70) WAS REJECTED SINCE HE HAD NO DOCUMENTARY PROOF OF EVER HAVING BEEN RELIEVED OF YUGO CITIZENSHIP.

4. AS TO WHY YUGO SECURITY TYPES WAITED 4 YEARS TO MOVE AGAINST DOYCHIN, DEFENSE ATTORNEY OPINED THAT AMNESTY LAW WHICH WAS SEVERAL YEARS IN THE MAKING MAY HAVE, AT ONE POINT, ALSO INCLUDED "LEADERS" IN HOSTILE ACTIVITY, AND SINCE IT WAS NOT UNTIL NOV 73 THAT LAW WENT INTO EFFECT, SECURITY FORCES MAY HAVE BEEN HOLDING UP ON CASES WHICH WOULD HAVE BEEN COVERED BY THE AMNESTY. THIS IS A POSSIBLE EXPLANATION, OF COURSE, BUT WE BELIEVE 30TH ANNIVERSARY OF SECURITY SERVICES, 10TH PARTY CONGRESS, AND NEED TO "MEET QUOTAS" PROBABLY LED AUTHORITIES TO MOVE AGAINST DOYCHIN EARLY THIS YEAR.

5. DEFENSE ATTORNEY WILL SUBMIT APPEAL WITHIN 8 DAYS, AND BELIEVES LETTER WHICH REQUESTED IN REFTTEL WOULD BE HELPFUL AT ANY POINT. FSFA SO FAR HAS BEEN UNRESPONSIVE AND DEPT REQUESTED PROD YUGO EMB FOR REPLY. IN POLITICAL-EMIGRE TRIALS WE HAVE SEEN HERE IN RECENT YEARS, DOYCHIN'S ATTORNEY WAS BY FAR MOST EFFECTIVE IN NEARLY IMPOSSIBLE CASE. NO QUESTION THAT LIMITED OFFICIAL USE

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HIS IMPASSIONED DEFENSE WHICH ALMOST BROUGHT APPLAUSE FROM CROWD HELPED REDUCE LENGTH OF SENTENCE. EARLIER, HE HAD SAID THAT NO DOUBT DOYCHIN WOULD BE CONVICTED, ONLY A QUESTION OF HOW LONG HIS SENTENCE WOULD BE. THUS, 3 YEARS PLUS FEW SYMBOLIC MONTHS IN MANY WAYS A VICTORY FOR DOYCHIN. ATTORNEY ALSO WILL PREPARE PETITION TO SFRJ PRESIDENCY FOR CLEMENCY WHICH HE HOPES EMB WILL SUPPORT WITH FSFA AND SECRETARIAT FOR JUSTICE AT APPROPRIATE TIME.

6. ACCORDING TO FAMILY, DOYCHIN STILL HAS NOT RECEIVED ANY MAIL FROM HIS DAUGHTERS. DEPT IS REQUESTED TO INFORM THEM OF HIS CONVICTION (WHICH WILL PROBABLY BE REPORTED BY WIRE SERVICES AS WELL), AND URGE THEM TO WRITE TO THEIR FATHER IN SERBO-CROATIAN ADDRESSING LETTERS EITHER TO LAWYER, OR THEIR GRANDFATHER.

7. COMMENT: SENTENCE COULD HAVE BEEN MUCH WORSE, AND WE THINK DOYCHIN EVENTUALLY MIGHT HAVE TO SERVE ONLY A YEAR OR SO. FACT THAT HE STILL RECEIVING HIS PENSION, AND NO ONE DEPENDENT UPON HIM, IN PHYSICAL TERMS, ALLEVIATES HIS SITUATION SOMEWHAT. BUT MOST NOTEWORTHY IS FACT THAT YUGOSLAVS, EITHER ON LOCAL OR HIGHER LEVELS, CONSIDER IT WORTHWHILE FROM TIME TO TIME TO MAKE AN EXAMPLE OUT OF A RETURNING EMIGRE, EVIDENTLY TO REMIND THOSE THOUSANDS ABROAD THAT GOY STILL ALERT TO THE THREAT TO "UNITY AND BROTHERHOOD" WHICH THEY POSE. JOHNSON

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